REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-2, 12, 14 and 23-25 are requested to be canceled without prejudice or disclaimer.

Claims 18-22 were previously withdrawn from consideration and are now requested to be canceled without prejudice or disclaimer.

Claims 9 and 15 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 3-11, 13 and 15-17 are now pending in this application.

Allowed Subject Matter

Applicant appreciates the allowance of claims 3-8 and the indication of allowable subject matter in claim 14. Applicant has amended independent claim 9 to include the features of claim 14 and intervening claim 12. Accordingly, claim 9 is now in allowable form.

Claim Rejections

Claims 1 and 9-12 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Publication Number 20040135726 to Shamir *et al.* ("Shamir"). Further, claims 2 and 13 were rejected under 35 U.S.C. § 103(a) as allegedly being

unpatentable over Shamir, and claims 23-25 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shamir in view of U.S. Patent No. 6,124,831 to Rutkowski *et al.*

In order to expedite prosecution, Applicant has canceled clams, 1, 2 and 23-25 without prejudice or disclaimer. Further, previously withdrawn claims 18-22 have been canceled without prejudice or disclaimer.

As noted above, Applicant has amended claim 9 to include the feature of claim 14 (indicated as allowable by the Examiner) and of intervening claim 12. Therefore, claim 9 is allowable. Accordingly, Applicant has canceled claims 12 and 14.

Further, Applicant has amended claim 15 to depend from claim 9. Accordingly, claims 10-11, 13 and 15-17 now depend from allowable claim 9 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Conclusion

Applicant believes that the above-noted amendments to the claims address all outstanding issues. Accordingly, the claims are believed to be in allowable form.

Thus, Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected

or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date <u>19 January 2009</u>

FOLEY & LARDNER LLP Customer Number: 30542

Telephone: (858) 847-6735 Facsimile: (858) 792-6773 By /G. Peter Albert, Jr./

G. Peter Albert Jr. Attorney for Applicant Registration No. 37,268